IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 23700 of 2004

Between:

K. Chennakesava Reddy, S/o. Chinna Pulla Reddy, Hindu,

Aged about 54 years, Occ: Section Officer,
O/o. Deputy Executive Engineer, Electricals,

Kadapa, Kadapa District.

..... PETITIONER

AND

1 The Executive Director, C & N, M.G.B.S., Imblibun, Hyderabad - 12.
2 The Deputy Executive Engineer, Electricals, Kadapa, Kadapa District.
3 The Vice Chairman and Managing Director, A.P.S.R.T.C.,

Musheerabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the proceedings No. PA/114(51)/03-ED(C&N) dated:28-6-2004 and proceedings No.PA/114(51)/03-ED(C&N) dated 14-5-2004 of the Ist respondent as illegal, arbitrary and unjust and consequentially direct the respondents to repay the amount which was deducted and fix the pay with all consequential benefits.

Counsel for the Petitioner: MR.B.SHIVA KUMAR

Counsel for the Respondents: MR.P.VINAYAKA SWAMY

The Court made the following:

ORDER:

Declaring the proceedings No.PA/114(51)/03-ED(C&N) dated 28.06.2004 and Proceedings No.PA/114(51)/03-ED(C&N), dated 14.05.2004 issued by the 1st respondent as illegal and arbitrary, the present writ petition is filed.

According to the learned Counsel for the petitioner, an appeal is filed before the Chairman and Managing Director of the respondent Corporation i.e. 3rd respondent herein, and it is pending. In respect of the same issue, the petitioner cannot be permitted to challenge the proceedings by filing alternative remedy. Since the appeal is pending, a direction is given to the 3rd respondent to pass appropriate orders on the appeal filed by the petitioner, within a period of two months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of.

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27.12.2004

dsr

To:

1. The Executive Director, C & N,

M.G.B.S., Imblibun, Hyderabad-12

2. The Deputy Executive Engineer,

Electricals, Kadapa, Kadapa District

3. The Vice Chairman and Managing Director,

APSRTC, Musheerabad, Hyderabad

4. Two CD copies.